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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,222	05/10/2001	Srihari Kumar	P3966	1085

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EXAMINER

FELTEN, DANIEL S

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SL

Office Action Summary

Application No.

09/854222

Applicant(s)

Kumar

Examiner

Feiten

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/18/2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 25 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1
2 1. Receipt of the Request for Continued Examination ("RCE") filed September 18, 2003
3 amending claims 1, 8, 10 and 18 is acknowledged. Claims 1-25 are still pending in the
4 application are presented to be examined upon their merits.
5
6

Response to Arguments

7
8
9 2. Applicant's arguments filed September 18, 2003 have been fully considered but they
10 are not persuasive. Examiner would like to bring applicant's attention to the statement on page
11 7, paragraph 3, where applicant states to have amended the claim language of independent
12 claims 1, 10 and 18 to specifically recite, " transferring funds *between* a user's financial
13 account held at one institution and user's financial account held at another institution."
14 The examiner disagrees with applicant's view that Schrader does not teach or suggest the
15 aforementioned limitation because the newly presented claim language "between" may have
16 more than one interpretation. For example, according to the Merriam Webster's Collegiate
17 Dictionary (10th Ed.), "between" can mean, "a commonly, jointly or mutually shared item or
18 thing" or "from one to another of" or "in point of comparison of" or "an intermediate space
19 or interval". Although applicant argues that funds may be transferred in a bi-directional
20 manner, there is no clear statement in the specification to support such a view, nor does
21 applicant's inclusion of this statement and/or terminology exclude the idea of proxy

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1 transferring of funds *from* a user's financial account held at one institution *to* the financial
2 account held at another institution. In fact, Schrader does suggest and teach bi-directional
3 transactions wherein transactions are cleared by a financial institution when amounts are
4 debited or credited to a separate account (see Schrader, col. 9, ll. 34+). Thus 112 (new
5 rejection), 102 (formulated with new claim language) and 103 (repeated rejection from office
6 action dated May 19, 2003) are addressed below using Schrader.

7
8
9 ***Claim Rejections - 35 USC § 112***

10 3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

11 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming
12 the subject matter which the applicant regards as his invention.

13
14 4. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite
15 for failing to particularly point out and distinctly claim the subject matter which applicant
16 regards as the invention. The newly presented claim language "between" is ambiguous
17 because it may have more than one interpretation. For example, according to the Merriam
18 Webster's Collegiate Dictionary (10th Ed.), "between" can mean, "a commonly, jointly or
19 mutually shared item or thing" or "from one to another of" or "in point of comparison of" or
20 "an intermediate space or interval". However, for purposes of examination, the second
21 definition, "from one to another of" will be used.

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Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-5, 7-11, 13-15, 18, 19 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Schrader et al (US 5903,881).

As in claims 1, 10 and 18, Schrader discloses an apparatus for enabling viewing and manipulation of data through a single portal accessible from a data-packet-network, a software interface for enabling proxy transfer of funds *between at least* a user's financial account held at one institution *and* a user's financial account held at another, *separate*, institution (see Schrader, figs. 1-5, col. 8, ll. 52+; col. 9, ll. 34+; col. 11, ll. 56 to col. 12, ll. 26; and col. 16, ll. 23-39);

inputting in a data field within the single interface a transfer amount (see Schrader, figs. 1-4, col. 15, ll. 55 to col. 16, ll. 61); selecting from a data menu within the single interface a

1 financial institution and associated account number of an account the transfer amount will be
2 taken from (see Schrader, figs. 1-4, col. 15, ll. 55 to col. 16, ll. 61);

3 selecting from a data menu within a single interface a financial institution and
4 associated account number of and account the transfer amount will be deposited to (see
5 Schrader, figs. 1-4, col. 15, ll. 55 to col. 16, ll. 61); and submitting the transfer funds order
6 to be executed on the selected date (see Schrader, figs. 1-4, col. 15, ll. 55 to col. 16, ll. 61).
7 a software interface for enabling proxy transfer of funds from one financial account to another
8 (see Schrader, col. 16, ll. 23+):

9 an interactive main window for configuring transfer funds orders, viewing pending
10 transfers, viewing transaction history, and viewing active account balances related to registered
11 financial accounts (see at least fig. 7, col. 7, ll. 59+);

12 a interactive section window accessible through the main interface, the selection
13 window for enabling selection of individual accounts for grouping into a list of activated
14 accounts (see fig. 7, col. 10, ll. 10+); and

15 an automated confirmation window enabling confirmation of data parameters of a
16 requested funds transfer (see col. 16, ll. 23-37);

17 characterized in that a user operating the main interface may initiate funds transfer
18 orders to be performed between accounts at requested times by proxy in a fashion transparent
19 at the time of execution to the requesting user (see col. 8, ll. 39-51),

1 as in claims 2, 11 and 19, the data packet network is the Internet network (see col. 12,
2 ll. 35+);

3 as in claim 3, the data accessible over the Internet and subscribed to the operating user:

4 as in claim 4, wherein the data is hosted in file servers addressed on the Internet
5 network (see col. 12, ll. 27+);

6 as in claim 5, wherein a first interactive link is embedded in the main interface, the first
7 interactive link is embedded in the main interface, the first interactive link for providing access
8 to a secondary interface for adding accounts to the list of activated accounts for consideration
9 in transferring funds (see col. 6, ll. 60+);

10 as in claim 7, wherein a second interactive link is embedded within the main interface,
11 the second interactive link for providing access to a secondary interface for querying states of
12 initiated funds transfers (see col. 12, ll. 27+);

13 as in claim 8, having interactive menus within the main interface, the menus comprising
14 an interactive tool showing lists of active accounts for transferring funds *between* and lists of
15 activated accounts for transferring funds(see col. 12, ll. 27+);

16 as in claim 9, an input interface for inputting account information required to
17 successfully complete a transfer funds operation, the input interface launched automatically
18 when missing data is detected during a transfer funds sequence (see col. 12, ll. 27+);

19 as in claim 13, the transfer amount input by selecting from a list of available amounts

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1 as in claim 14, wherein the method is practiced by a user operating a remote computer
2 mode connected to the network (see col. 12, ll. 27+);

3 as in claims 15 and 22 wherein the computer node is a personal computer with Internet
4 accessibility (see col. 12, ll. 27+).

5
6
7 ***Claim Rejections - 35 USC § 103***

8 7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
9 obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
11 section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
12 are such that the subject matter as a whole would have been obvious at the time the invention was made to a
13 person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
14 negated by the manner in which the invention was made.

15
16 8. Claims 6, 12, 16, 17, 20, 23, 24 and 25 are rejected under 35 U.S.C. 103(a) as being
17 unpatentable over of Schrader et al (US 5,903, 881).

18 Schrader teaches all the limitations that meet the claimed invention. Schrader fails to
19 disclose, as in claims 6, 12, 20 and 25 the main secondary interfaces are provided in the
20 form of a hyper-text-markup-language. However, since the Schrader invention provides an
21 application interface module whereby Internet browsers, which are notoriously old and well
22 known in the art to create websites via hypertext-markup language, are used to perform online

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1 functions (see col. 13, ll. 45+), it would have been obvious for an artisan of ordinary skill at
2 the time of the invention of Schrader to employ Hypertext markup language to provide website
3 information over the Internet. Thus such a modification would have been an obvious expedient
4 well within the ordinary skill in the art.

5
6 **Regarding claim 16, 17, 23 and 24:**

7 peripheral devices including cellular telephones, a personal digital assistants and hand-held
8 computers are notoriously old and well known within the art with Internet accessibility to
9 provide web communications. Therefore Official Notice is taken is the aforementioned
10 peripheral devices used for Internet accessibility because such devices would have been an
11 obvious extension to the teachings of Schrader inasmuch as they would have provided
12 alternative means to use the Schrader invention with items that are notoriously old and well
13 known within the art.

14
15
16 ***Conclusion***

17
18 9. Any inquiry concerning this communication or earlier communications from the examiner
19 should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The
20 examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.
21 Any inquiry of a general nature relating to the status of this application or its proceedings should

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1 be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor
2 *Vincent Millin* whose telephone number is (703) 308-1065.

3
4 10. Response to this action should be mailed to:

5
6 Commissioner of Patents and Trademarks

7 Washington, D.C. 20231

8
9 for formal communications intended for entry, or (703) 305-0040, for informal or draft
10 communications, please label "Proposed" or "Draft".

11 Communications via Internet e-mail regarding this application, other than those under 35
12 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
13 addressed to [*daniel.felten@uspto.gov*].

14 All Internet e-mail communications will be made of record in the application file. PTO
15 employees do not engage in Internet communications where there exists a possibility that
16 sensitive information could be identified or exchanged unless the record includes a properly
17 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
18 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
19 Trademark on February 25, 1997 at 1 195 OG 89.

20
21
22 

23 DSF

24 October 16, 2003


HANI M. KAZIMI
PRIMARY EXAMINER